



TOWN OF ARLINGTON MINUTES OF THE PERMANENT TOWN BUILDING COMMITTEE MEETING

Date: March 29, 2022

Time: 7:00PM

Location: Each of the Committee Members and the Guests Participated Utilizing the ZOOM Videoconferencing Platform

Attendance: Allen Reedy, John Maher, Mike Rademacher, Peter Martini, Brett Lambert, Jim Feeney, Bill Hayner and Bob Jefferson.

Guests: Tom Strike, David Steeves, Josh Sydney

The Chairman called the meeting to order at 7:00 PM.

TOWN YARD PROJECT

Chairman Reedy notified the committee that this special meeting was called to discuss an issue with one of the sub-contractors on the project who was submitting a change order that needed immediate discussion. The Chairman asked the OPM and architect's engineer to inform the committee of the problem.

Tom Strike, the Geo-Technical Design Engineer for Weston and Sampson explained the issue and dispute. The subcontractor who is doing the drilling for the piers in Building E and the Salt Shed, CNC Corporation, notified the GC, Commodore, that they have been having problems with the drilling and is delaying their portion of the project. CNC submitted a change order to Commodore who then forwarded it to the Town's OPM, Sydney Assoc. The change order was reviewed by Sydney Assoc and Weston and Sampson.

Tom Strike stated that while drilling CNC encountered what they referred to as "undocumented fill". CNC had started drilling in mid-February and was drilling between 6- and 14-foot depths. According to state law that fill would need to be removed or ground improvements would need to be done. It was decided that ground improvements could be done, and CNC began drilling and encountered boulders and dense conditions. As of today, there is about 40 percent of the drilling and installs are done. About a week ago CNC requested that they be allowed to reduce the amount and depth of the drilling. W & S reviewed and approved the change. CNC is claiming that they continue to encounter dense conditions and claim this information was not in the contract documents. Weston and Sampson states that the contract documents and pre-testing documents state there is cobbles, boulders, and debris. Tom Strike stated the contractor must look at the contract and supporting documents in total. The geo-tech report which did 8 pre-site boring states that heavy fill was found in 7 of the boring

pits. They described the boring sites as very dense profile with cobbles and boulders. He then listed percentage of debris found in each test pit.

At one point last week CNC left the site and stated they would not return until they received more money. Josh Sydney encouraged them to return to the site and resume activity. They did but almost a week of work was delayed. This delay is in addition to days of delay from mechanical breakdowns of their equipment.

John Maher asked about the bids that were submitted for these sub-contracted portions of the project. It was stated that 3 bids were submitted, CNC was the lowest by \$70,000. Commodore actually contacted CNC to confirm their bid was correct and they affirmed.

Dave Steeves stated that CNC is basing their change request on one line in the contract docs that states " 10 percent of fill in test pits were dense". Dave Steeves stated that was one line in all the information regarding the site conditions and the sub-contractor must review and be aware of all documents and information.

Discussion was then held among committee members about how to move forward and resolve issue. After discussion it was unanimously decided by the PTBC to support the decision by our OPM and Architect to reject the claim as having no merit. Mr. Sydney was directed to discuss with Commodore, as the GC, to instruct CNC to continue the work under the current contract and negotiate any change out of the GMP contingency.

HOUSEKEEPING

The minutes of the March 15, 2022, meeting were presented for approval. On a motion by Maher seconded by Hayner to approve. Minutes were unanimously approved by roll call vote 8-0.

Whereupon a motion was made by Maher seconded by Jefferson to adjourn at 8:42 PM and it was unanimously voted.

Respectfully Submitted,
Robert Jefferson

Respectfully Submitted,
Robert Jefferson, Clerk